

Document Page 1 of 2
**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No.: 18-24070-GLT	FILED 6/11/21 1:00 pm CLERK U.S. BANKRUPTCY COURT - WDPA
	:	Chapter: 7	
OneJet, Inc.	:		
	:		
<i>Debtor(s).</i>	:		
	:		
Woody Partners et al.	:	Adv. No.: 19-02134-GLT	
<i>Plaintiff(s).</i>	:		
	:		
v.	:		
	:		
Maguire et al.	:		
	:	Date: 6/10/2021	
<i>Defendant(s).</i>	:	Time: 11:00	

PROCEEDING MEMO

MATTER:

Status Conference:
468 Mediator's Certificate of Completion of Mediators Conference
473 - Amended Mediator's Certificate of Completion
475 - Status Report filed by Plaintiff Woody Partners
476 - Status Report filed by Interested Party Rosemary Crawford, Ch.7 Trustee

APPEARANCES:

Plaintiffs:	James Cooney and Ryan Cooney
Boustead:	Christopher Parrington and Jason Ott
Trustee Crawford:	John Richardson
Maguire:	David Strassburger
Lewis:	Patrick Cavanaugh and Zachary Gordon

NOTES: (11:07)

Court: The mediation report indicates the plaintiffs reached an agreement with the Maguire and Lewis defendants. Where are we re: the forward movement of this case? As I see it, if there are settlements with Lewis and the Maguires, the remaining issues are counts 3, 4, and 8 against Boustead and a cross claim by Pirchesky that is stayed pending arbitration.

J. Cooney: Those are the remaining issues. We still need some additional discovery because in preparing for the mediation we learned some things about Boustead that will require amending the complaint. We assume we'll get an objection.

Strassburger: We're hoping to get the settlement agreement signed and buttoned up soon. Motions practice is anticipated afterwards, especially because of a cross claim from Boustead that will be barred.

Court: And by when would you be able to file those motions?

Strassburger: The settlement requires some motions and then the motions on the cross claims. It depends on when all of the plaintiffs sign the agreement.

Strassburger: Then I would need about 14 days.

R. Cooney: I'm not sure if we need probate court approval before moving for the releases.

Strassburger: Probate court approval is a condition of the settlement.

Court: Can that be concurrent or is it a prerequisite?

Strassburger: We hope to do everything at the same time.

Court: If it's a settlement of claims of two non-debtor parties at this point it's not clear that 9019 would be invoked.

R. Cooney: It's my belief that only the Debtor or a trustee has standing to raise a 9019 issue.

Parrington: The dates in the status report were fine. We will be objecting to the motion to amend the complaint, and if it's granted it may require extending those dates because of new parties and counsel becoming involved. I also know that the trustee has some issue with the allocation of commission funds and who has priority.

Richardson: We did file a report yesterday articulating some questions and concerns about how the settlement is being funded and how it impacts the estate and whether it's in the best interest of all creditors, as opposed to just the plaintiffs. The amount is almost exactly the same as an airplane that's in dispute. And the trustee did file a notice of claim in the probate court in CA.

Court: Although the trustee has filed an appearance, the trustee is not a party. I will expect that the Maguire defendants file any motions in the next 14 days and the plaintiffs shall also seek leave to amend within 14 days. I will wait to re-schedule the discovery period pending these motions in order to see how things pan out, and the stay on discovery and related proceedings is lifted.

OUTCOME:

1. The Court's *Status Conference* [Dkt. No. 470] is CONCLUDED. To the extent the Plaintiffs intend to seek leave to amend their complaint, they shall do so on or before June 24, 2021. To the extent the settling parties seek to file motions to further their settlement, they shall do so on or before June 24, 2021. The Court will reissue a pre-trial scheduling order after the motions have been adjudicated. [Text Order to Issue]

DATED: 6/10/2021